

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

PREPARED BY: Christopher M. Gratz, Planner II

SUBJECT: Site Plan, SP 4-8-04 Apartments at Palm Garden Park, Engel and Associates/Doug Amos, 6575 SW 49 Court/Generally located 308' west of SW 65 Avenue, on the north side of SW 49 Court.

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM: SP 4-8-04 Apartments at Palm Garden Park (RM-10)

REPORT IN BRIEF: The applicant requests approval of the site plan for five (5) apartments in the Palm Garden Park subdivision. The 0.50 acre-site (21,950 square feet) is generally located 308 feet west of SW 65 Avenue, on the north side of SW 49 Court. The proposed development consists of five single-story apartment units. The units have two (2) bedrooms, two (2) bathrooms, and are approximately 1,000 square feet under air conditioning.

Access and Neighborhood Circulation: Currently, access to the site is via a gravel road along SW 49 Court. The applicant is proposing to dedicate ten (10) feet of right-of-way along his property. A road will be built to Town standards as a half-street (one-way street from SW 65 Avenue to the subject site), where the street will then become a two-way street adjacent to the recently approved Hidden Hollow site. The property owner along the south side of SW 49 Court will be required to build the other half when they develop the site. A sidewalk is being provided adjacent to the parking area and SW 49 Court. The applicant proposes a total of eleven (11) parking spaces (including one (1) handicapped space), where ten (10) are required by Code.

The proposed apartment units are compatible and related to the multi-family dwellings to the north, west, and east, as well as the vacant land to the south. The proposed site plan is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. The traffic generated by this development can be accommodated by the adjacent local roadway. Development of this site as proposed does not exceed what was anticipated by the Future Land Use Plan Map designation. Staff finds that the site plan is in conformance with all applicable Codes and Ordinances in terms of access, right-of-way, and use.

PREVIOUS ACTIONS: None

CONCURRENCES: At the August 10, 2004, Site Plan Committee meeting, Mr. Aucamp made a motion, seconded by Mr. Evans, to approve based on the planning report and agreements made by Mr. Amos to Mr. Evans to change the elevations to add the wall, the gated entrance,

and the raised roof element on the south side of each building as agreed upon; to use dimensional roof shingles; all conditional upon bringing this back prior to the Town Council meeting; having Mr. Khavanin show the access road on the site plan; bringing back the color boards and a rendering as well as the site plan with the 15-foot access from SW 65 Avenue to SW 69 Avenue to be shown on the site plan. (Motion carried 3-1 with Vice-Chair Aitken being opposed and Mr. Engel absent. It was the Vice-Chair's opinion that the proposal does not enhance the surrounding area like the other recently approved/constructed developments have done in this vicinity.)

At the August 24, 2004, Site Plan Committee meeting, Mr. Evans made a motion, seconded by Vice-Chair Aitken, to approve based on the planning report and to correct sheet 3-C of the "civil plan" to show 65th Avenue as a two-way the full length or show whatever has been approved in the Davie Manor Road Improvement Agreement; that at lots 34 and 35, it be shown as a two-way drive; at 66th Avenue, show that as a 30-foot right-of-way with a two-way drive; on section A-A there should be a 24-foot back out required so the dimensions need to be corrected on that section; SW 49 Street should be called SW 49 Court on the south side of the property; remove the eight-foot pervious pavement on sheet 3-C; add two small decorative trees at the front trellis area between the buildings; and the drainage and pavement issues need to go through the Engineering Department. Motion carried 3-0 with Mr. Engel and Mr. Aucamp absent).

FISCAL IMPACT: N/A

RECOMMENDATION(S):

Attachment(s): Future Land Use Plan Map, Zoning and Aerial Map, Site Plan

TOWN OF DAVIE
Development Services Department
Planning and Zoning Division
Staff Report and Recommendation



Applicant Information

Owner:

Name: Doug Amos
Address: 2640 SW 155 Lane
City: Davie, FL 33331
Phone: (954) 472-0741

Agent:

Name: Mark Engel, AIA
Engel and Associates, Inc.
Address: 4800 SW 64 Avenue, Suite 104
City: Davie, FL 33314
Phone: (954) 791-4810

Background Information

Application History: The Site Plan Committee recommended approval with the condition of bringing the requested revisions back to the Site Plan Committee prior to Town Council's consideration.

Site Plan Committee Recommendation: The Site Plan Committee recommended conditional approval.

Application Request: Approval of the site plan for five (5) new apartments at Palm Garden Park.

Address/Location: 6575 SW 49 Court/Generally located 308' west of SW 65 Avenue, on the north side of SW 49 Court.

Future Land Use Plan Map: Residential (10 DU/AC)

Zoning: RM-10, Medium Density Dwelling District

Gross Parcel Size: 0.50 acres (21,950 square feet)

Net Parcel Size: 0.46 acres (19,955 square feet)

Existing Use: Vacant (Abandoned plant nursery)

Proposed Use: Five (5) Apartments

Maximum Density: Five (5) dwelling units

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Map Designations:</u>
North:	Multi-family dwelling	Residential (10 DU/AC)
South:	Vacant	Residential (1 DU/AC)
East:	Duplex	Residential (5 DU/AC)
West:	Duplex	Residential (10 DU/AC)

Surrounding Zoning:

North:	RM-10, Medium Density Dwelling District
South:	A-1, Agricultural District
East:	RM-10, Medium Density Dwelling District
West:	RM-10, Medium Density Dwelling District

Zoning History

Plat History: The plat, Everglades Land Sale Company Subdivision, Lots 1 and 2, was recorded in Plat Book 2, Page 34, in the public records of Dade County, on May 4, 1912.

The subdivision plat, Palm Garden Park, Unit 1, was recorded in Plat Book 7, Page 56, in the public records of Dade County, on May 27, 1925.

Site Plans in the general vicinity: The site plan, SP 7-2-00 Davie Manor Townhomes, for twenty-one (21) two-story townhomes was approved on September 20, 2000.

The site plan, SP 1-3-03 Hobbs Manor Townhomes, for four (4) two-story townhomes was approved on June 4, 2003.

The site plan, SP 8-2-03 Hidden Hollow, for ten (10) two-story townhomes was approved on January 7, 2004, subject to the delineation of a continuous sidewalk with pavers in front of the units.

Previous Requests on same property: None

Applicable Codes and Ordinances

§12-24(I) *Neighborhood Conservation Districts:* The Neighborhood Conservation Districts are intended for existing residentially zoned areas. They are designed to prevent these areas from becoming nonconforming as they would if they would be placed in the other districts in this chapter. These districts are also intended to provide for the minor in-filling of existing neighborhoods consistent with their zoning and character at the time of the enactment of this chapter. Such neighborhoods are relatively uniform in character and are generally stable. The regulations permit future development consistent with existing neighborhood character. Areas identified as having a stable and fixed character will be allowed to continue to exist and develop under the general regulations governing their design and construction or under the actual subdivision plat previously approved.

(5) *Medium Density Dwelling (RM-8 and RM-10) Districts:* The RM-8 and RM-10 Districts are intended to implement the ten (10) dwelling units per acre residential classification of the Town of Davie Future Land Use Plan and the residential classification of the Town of Davie Comprehensive Plan by providing for medium density multiple family dwelling districts in the Town of Davie.

§12-81C. Conventional Multifamily Development Standards, RM-10, Medium Density Dwelling District requires: Minimum Lot Area of 3,500 square feet, Minimum Lot Frontage of 100', Minimum Yards: Front 25', Side 20', Rear 25', Max. Height 35', Min. DU Floor Area 600 square feet, Maximum Building Coverage of .40, Minimum Distance between buildings of 20'.

§12-208 (A) (8) Requirements for off-street parking, Dwelling, two-family (duplex) and multiple-family. One and one-half (1 1/2) spaces for one (1) bedroom unit; two (2) spaces for two (2) bedroom units; and two and one-half (2 1/2) spaces for three (3) bedrooms or more; plus one (1) guest space for each ten (10) units or part thereof; except as otherwise provided in section 12-82.

§12-38. Nonconforming lots. A principal building and customary accessory buildings may be erected on a single lot, tract or parcel of land, notwithstanding limitations imposed by other provisions of these regulations, if:

- (1) The erection of such building(s) was permissible prior to the adoption of these regulations; and
- (2) The single lot, tract or parcel of land was shown on a recorded map, plat, drawing or survey prior to the adoption of these regulations, or, in the case of lands zoned RR district, occurred prior to the date of adoption of the applicable Broward County zoning regulations in effect at the time of annexation; or
- (3) The single lot, tract or parcel of land was shown on a plat, drawing or survey, which was registered with the Department of Business Regulation, Division of Florida Land Sales, prior to the effective date of the adoption of these regulations, or in the case of lands zoned RR District, occurred prior to the date of adoption of the applicable Broward County zoning regulations in effect at the time of annexation; and
- (4) The single lot, tract or parcel of land shall meet the minimum property development regulations, except minimum lot size requirements, that are generally applicable in the district, except as may be provided through the granting of a variance pursuant to Article X.

12-360 (B) Platting requirement:

- (1) The town may not grant an application for a building permit for the construction of a principal building on a parcel of land unless a plat including the parcel or parcels of land has been approved by the Broward County Commission and recorded in the official records of Broward County subsequent to June 4, 1953. This section will not apply to an application for a building permit which meets any of the following criteria:

- (b) Construction on any multifamily or nonresidential lot or parcel which is less than five (5) acres in size and specifically delineated on a plat recorded on or before June 4, 1953;
 - (2) Provided that, in addition to meeting the above criteria, the issuance of the building permit shall be subject to all of the following:
 - (a) Compliance with the applicable land development regulations; and
 - (b) Any land within the lot or parcel which is necessary to comply with the Broward County Trafficways Plan has been conveyed to the public by deed or grant of easement.
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Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies: *Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The applicant requests approval of the site plan for five (5) apartments in the Palm Garden Park subdivision. The site 0.50 acres (21,950 square feet), and is generally located 308' west of SW 65 Avenue, on the north side of SW 49 Court.
2. *Building:* The proposed single-story structures are concrete block, covered in stucco, with a raised stucco band around the windows and lower half of the building. The units have two (2) bedrooms, two (2) bathrooms, and are approximately 1,000 square feet under air conditioning. The color scheme reflects a medium tan base with off white accents, with a tan fiberglass shingle roof.
3. *Access, Neighborhood Circulation, and Parking:* Currently, access to the site is via a gravel road along SW 49 Court. The applicant is proposing to dedicate ten (10) feet of right-of-way along his property. A road will be built to Town standards as a half-street (one-way street from SW 65 Avenue to the subject site), where the street will then become a two-way street adjacent to the recently approved Hidden Hollow site. The property owner along the south side of SW 49 Court will be required to build the other half when they develop the site. A sidewalk is being provided adjacent to the parking area and

SW 49 Court. The applicant proposes a total of eleven (11) parking spaces (including one (1) handicapped space), where ten (10) are required by Code.

4. *Lighting:* Site lighting for the parking area and roadway that meets Code requirements has been provided on the electrical plan.
5. *Landscaping:* The site plan shows 9,375 square feet (0.215 acres) or 47 % open space (15% required) has been provided. The landscape plan indicates Live Oak being used for street trees and in the perimeter landscape buffer, as well as Gumbo Limbo and Pink Tabebuia, along with a continuous Walters Viburnum hedge. Red Tip Cocoplum is proposed between the structure, sod, parking area, and courtyard sidewalk. Florida Privet is being used adjacent to the air conditioning units and the wood fence that screens the garbage receptacles and view into the kitchen. The courtyard between the units has one planter with Alexander Palms in a base of Dwarf Firebush, and another planter with Jatropha in a base of Gold Mound Duranta. At the end of the courtyard is a cluster of Sabal Palms with a base of Boston Fern. There is a large existing Ficus tree near the northwest corner of the site, and three (3) Florida Royal Palms near the southeast corner of the site that will remain undisturbed.
6. *Drainage:* The subject property lies within Central Broward Water Control District. Approval from the District is required in order to implement the proposed drainage improvements.
7. *Compatibility:* The proposed apartment units are compatible and related to the multi-family dwellings to the north, west, and east, as well as the vacant land to the south.

Significant Development Review Agency Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Planning and Zoning: Provide access plan, provide copy of the plat within the submittal package, delineate site triangles and turning radii, provide consistent architectural treatment on all sides of the structures, and show all trees within 25' of the site.

Engineering: Provide access plan, delineate site triangles and turning radii, provide traffic control devices in accordance with FDOT standards, provide sidewalk and sidewalk connection to the dwelling units, provide drainage inlet, storm sewer connection to the proposed dry retention area, submit surface water management calculations, revise swale profile, show finished floor elevations, provide details of water and sewer service prior to Engineering Permit review, and provide fire hydrant.

Staff Analysis

The proposed site plan is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. The traffic generated by this development can be accommodated by the adjacent local roadway. Development of this site as proposed does not exceed what was anticipated by the Future Land Use Plan Map designation.

Findings of Fact

Staff finds that the site plan is in conformance with all applicable Codes and Ordinances in terms of access, right-of-way, and use. The proposed project is compatible with the surrounding properties.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration.

Site Plan Committee Recommendation

At the August 10, 2004, Site Plan Committee meeting, Mr. Aucamp made a motion, seconded by Mr. Evans, to approve based on the planning report and agreements made by Mr. Amos to Mr. Evans to change the elevations to add the wall, the gated entrance, and the raised roof element on the south side of each building as agreed upon; to use dimensional roof shingles; all conditional upon bringing this back prior to the Town Council meeting; having Mr. Khavanin show the access road on the site plan; bringing back the color boards and a rendering as well as the site plan with the 15-foot access from SW 65 Avenue to SW 69 Avenue to be shown on the site plan. (Motion carried 3-1 with Vice-Chair Aitken being opposed and Mr. Engel absent. It was the Vice-Chair's opinion that the proposal does not enhance the surrounding area like the other recently approved/constructed developments have done in this vicinity.)

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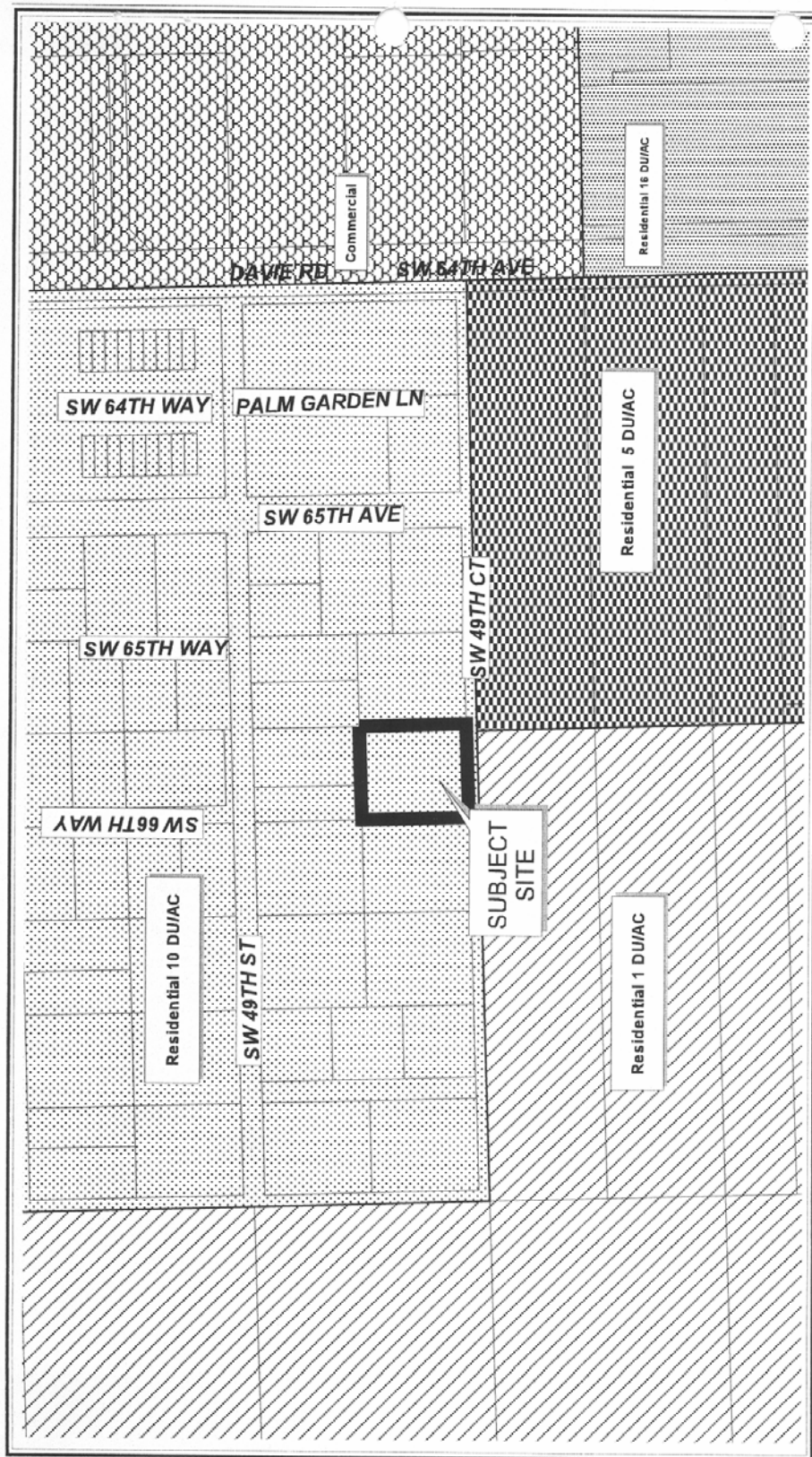
Town Council Action

Exhibits

1. Future Land Use Plan Map
2. Zoning and Aerial Map
3. Site Plan

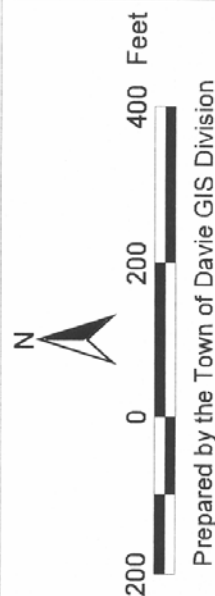
Prepared by: _____

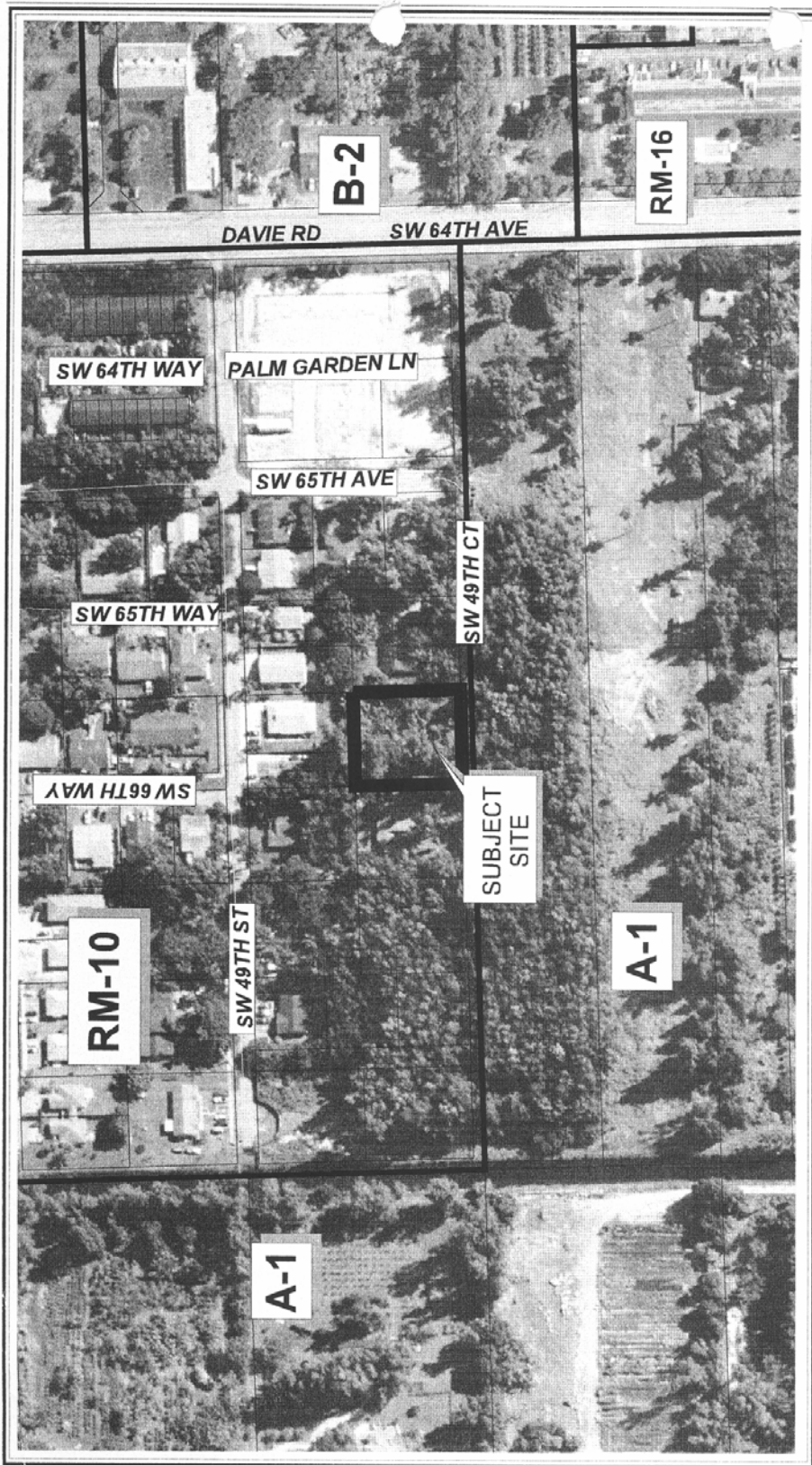
Reviewed by: _____



SITE PLAN **SP 4--8-04** **Future Land Use Map**

Prepared By: ID
 Date Prepared: 5/5/04





Date Flown:
12/31/02



Prepared by the Town of Davie GIS Division



SITE PLAN **SP 4-8-04** **Zoning and Aerial Map**

Prepared By: ID
Date Prepared: 5/5/04

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